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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILLIP JAMES BATTLE,

Defendant.

Case: 2:22-cr-20181

Assigned To : Friedman, Bernard A.

Referral Judge: Patti, Anthony P.

Filed: 4/6/2022

IND USA V BATTLE (LH)

Violation:

18 U.S.C. § 922(g)(1)

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm

On or about September 9, 2021, in the Eastern District of Michigan, the defendant, Phillip James Battle, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm—that is, a Smith & Wesson SD40 VE handgun—which had previously traveled in and affected interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm

On or about October 14, 2021, in the Eastern District of Michigan, the defendant, Phillip James Battle, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm—that is, a Glock 19X handgun with red laser sight—which had previously traveled in and affected interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATIONS

18 U.S.C. § 924(d), 28 U.S.C. § 2461(c)

The allegations contained in this Indictment are hereby realleged and incorporated by reference for purposes of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) together with Title 28, United States Code, Section 2461(c).

Upon conviction of the offenses set forth in Count One and Count Two, the defendant, Phillip Battle, shall forfeit to the United States any firearms and ammunition involved in or used in the knowing violation of the offenses set forth in the Counts of conviction, pursuant to Title 18, United States Code, Section 924(d) together with Title 28, United States Code, Section 2461(c).

If any of the property described above, as a result of any act or omission of the defendant—

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of this Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

the United States shall be entitled to forfeit other property of the defendant up to the value of the above described forfeitable property, pursuant to Title 28, United States Code, Section 2461(c).

THIS IS A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

DAWN N. ISON
United States Attorney

s/ Benjamin Coats
BENJAMIN COATS
Acting Chief, General Crimes Unit
Assistant United States Attorney

s/ James J. Carty
JAMES J. CARTY (P74978)
Assistant United States Attorney

Dated: April 6, 2022

Case: 2:22-cr-20181
Assigned To : Friedman, Bernard A.
Referral Judge: Patti, Anthony P.
Filed: 4/6/2022
IND USA V BATTLE (LH)

United States District Court
Eastern District of Michigan

Criminal Case Cover

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information		Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :		Judge Assigned:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	AUSA's Initials: <i>SC</i>

Case Title: USA v. Phillip James Battle

County where offense occurred : Wayne

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

 Indictment/ Information --- no prior complaint.
☒ Indictment/ Information --- based upon prior complaint [Case number: 22-mj-30552]
 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:


Defendant name

Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

April 6, 2022
Date


James J. Carty
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226-3277
Phone: (313) 269-4766
Fax: (313) 226-2372
E-Mail address: james.carty@usdoj.gov
Attorney Bar #: P74978

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.